

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF WISCONSIN

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THE ESTATE OF KRISTINA ANN FIEBRINK,  
by Special Administrator Nathaniel Cade, Jr.; THE  
ESTATE OF ANGELICA M. FIEBRINK; JOSE D.  
MARTINEZ, JR.; and ROBERT MARTINEZ,

Plaintiffs,

v.

Case No.: 18-CV-832

ARMOR CORRECTION HEALTH SERVICE, INC.;  
DR. KAREN RONQUILLO-HORTON; BROOKE  
SHAIKH APNP; VERONICA WALLACE, LPN;  
BRITENY R. KIRK, LPN; EVA CAGE, LPN;  
BRANDON DECKER APNP; MILWAUKEE  
COUNTY, a municipal corporation; DAVID  
A. CLARKE, JR.; RICHARD R. SCHMIDT;  
NANCY EVANS, KEVIN NYKLEWICZ;  
LATISHA AIKENS; BRIAN PIASECKI;  
JENNIFER MATTHEWS; LATRAIL COLE;  
LATOYA RENFRO; JOHN DOES 1-10; JOHN  
DOES 11-20; EVANSTON INSURANCE COMPANY;  
WISCONSIN HEALTH CARE LIABILITY INSURANCE  
PLAN; and WISCONSIN COUNTY MUTUAL INSURANCE  
COMPANY,

Defendants.

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**DEFENDANTS DAVID A. CLARKE, JR., RICHARD R. SCHMIDT,  
NANCY EVANS, AND KEVIN NYKLEWICZ'S NOTICE OF MOTION AND  
MOTION FOR JUDGMENT ON THE PLEADINGS**

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TO: The Court and All Counsel of Record via ECF

PLEASE TAKE NOTICE that Defendants, David A. Clarke, Jr., Richard R. Schmidt, Nancy Evans, and Kevin Nyklewicz, by their attorneys, Crivello Carlson,

S.C., respectfully move the Court for an order granting judgment on the pleadings as to Counts I through III of the Amended Complaint brought against David A. Clarke, Jr., Richard R. Schmidt, Nancy Evans, and Kevin Nyklewicz, pursuant Fed. R. Civ. P. 12(c). Judgment on the pleadings is appropriate because the Amended Complaint fails to state a claims upon which relief may be granted as to individual-capacity and official-capacity claims under 42 U.S.C. § 1983 against David A. Clarke, Jr., Richard R. Schmidt, Nancy Evans, and Kevin Nyklewicz.

This motion is based upon the pleadings and the brief in support filed herewith. Defendants also seek the costs and disbursements of this motion and action.

Dated this 30th day of October, 2018.

CRIVELLO CARLSON, S.C.

Attorneys for Defendants Milwaukee County,  
David A. Clarke, Jr., Richard R. Schmidt, Nancy  
Evans, Kevin Nyklewicz, Latisha Aikens, Brian  
Piasecki, Jennifer Matthews, Latrail Cole, Latoya  
Renfro, John Does 1–10, and Wisconsin County  
Mutual Insurance Corp.

By: s/ Samuel C. Hall, Jr.  
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